ABSTRACT

Public Services – Municipal Administration And Urban Development Department – Allegation of corruption of demand and acceptance of bribe against Sri Chenna Sastry, formerly Town Planning Assistant, O/o. District Town & Country Planning Office, Eluru, West Godavari District – Trapped on 30.10.2014 – Sanction for Prosecution – Accorded – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.MS.No. 415 **Dated: 01-12-2017**

O R D E R:

Whereas, Sri Chenna Sastry, S/o. Pydi Raju worked as Town Planning Assistant, O/o. District Town Planning Office, Eluru from 22.05.2013 to 30.10.2014 and by virtue of the post held by him, he falls under the category of a Public Servant as defined under Section 2(c) of Prevention of Corruption Act, 1988.

2. And whereas, Sri Matta Rama Sankar, S/o. Gopala Rao, R/o.Vijayarai, Pegavegi Mandal, West Godavari District is an agriculturist.

3. And whereas, Sri Matta Rama Sankar is an agriculturist and he is the elder brother of Smt.Kandimella Satyalatha, who possesses agricultural land in an extent 2 acres in Survey No.26/1 Part-A of Muttanaveedu Village. She got the said land converted into non-agricultural land during the year 2012. About one year prior to 29.10.2014, she submitted an application before the Town and Country Planning Officer, West Godavari District through Panchayat Secretary for getting the said land converted into house plots. As Smt.Satyalatha is residing in Hyderabad, she asked her brother Sri Matta Rama Sankar to pursue the above matter. Accordingly about 6 months prior to 29.10.2014, Sri Matta Rama Sankar met the District Town Planning Officer Sri Allada Prabhakara Rao and Town Planning Assistant Sri Chenna Sastry and enquired about layout plan approval, they asked him to get the sketch drafted by the Mandal Surveyor and submit the same along with FMB Sketch and the report issued by the Panchayat Secretary. Accordingly he submitted the said documents in the month of April, 2014. Again in the month of May, 2014 when Sri Matta Rama Sankar met Sri Allada Prabhakara Rao and Sri Chenna Sastry, they informed him that the sketch drafted by the Mandal Surveyor is not proper and asked him to get the demarcation of the sketch from the District Surveyor. Accordingly, he submitted it through the District Surveyor. Thereafter, he approached Sri Allada Prabhakara Rao and Sri Chenna Sastry for 2 months but there was no proper response. At last they informed him them that unless the bribe amount is paid his work would not be completed. On 27.10.2014,

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Sri Matta Rama Sankar met Sri Allada Prabhakara Rao and when enquired about approval of layout plan he asked Sri Matta Rama Sankar to meet Sri Chenna Sastry stating that he had informed Sri Chenna Sastry as to what is to be done and also asked Sri Matta Rama Sankar to comply withthe direction of Sri Chenna Sastry. When Sri Matta Rama Sankar met Sri Chenna Sastry on 28.10.2014 at his Office, he informed him that Sri Allada Prabhakara Rao talked to him and informed that he had to pay bribe of Rs.40,000/- to Sri Allada Prabhakara Rao and Rs.15,000/- to him for approving his plan. He also threatened that unless the bribe amount is paid they will make him to roam around his office by putting one or other queries on his file. As there was no other go Sri Matta Rama Sankar unwillingly agreed to give demanded bribe amount. As he was not willing to pay the bribe he reported the same to the DSP., ABC., Eluru on 29.10.2014, who after observing procedural formalities, registered a case in Cr.NO.16/RCT-EWG/2014 on 30.10.2014 and submitted FIR to the concerned and made arrangements for laying the trap.

4. And whereas during trap proceedings on 30.10.2014 Sri Chenna Sastry received Rs.40,000/- which is the share of Sri Allada Prabhakar Rao from Sri Matta Rama Shankar and kept the said amount in right side pant pocket. He also demanded and accepted his share of Rs. 15,000/- from Sri Matta Rama Shankar and kept in his left side pant pocket. The chemical test conducted on the fingers of both the hands of Sri chenna Sastry yielded positive results. In pursuance of the information furnished by Sri Chenna Sastry the tainted amount of Rs. 40.000/- (Sri Allada Prabhakara Rao's share) and Rs. 15.000/- (Sri Chenna Sastry's Share) was recovered from his right and left side pockets of his pant. The Serial numbers of the recovered currency notes found tallied with the serial nos. of the currency notes handed over by Sri Matta Rama Sankar during pre-trap proceedings. The chemical tests conducted on the inner linings of right an d left side pant pockets of Sri chenna Sastry also yielded positive result. The DSP seized the tainted amount, pant of Sri chenna Sastry, resultant solutions, relevant records and prepare rough sketch of the scene of offence.

5. And Whereas, the above said acts of Sri chenna Sastry worked as Town Planning Assistant in District Town & Country Planning Office of West Godavari District, Eluru constitute offences punishable under sections U/s.7 & 13 (1)(d) r/w 13 (2) of p.c. Act, 1988 r/w 34 IPC.

6. And whereas, the Government of Andhra Pradesh being competent authority to remove Sri chenna Sastry worked as Town Planning Assistant in District Town & Country Planning Office of West Godavari District, Eluru from service after fully and carefully examining the material (i.e. F.I.R., Mediator Reports, statement of witnesses, made up files, explanation of Sri chenna Sastry, and final report of DG, ACB etc.,) placed before them in respect of the said allegations and the circumstances of the case consider that Sri chenna Sastry worked as Town Planning Assistant in District Town & Country Planning Office of West Godavari District, Eluru should be prosecuted in a Court of Law.

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7. Now therefore, in exercise of the powers conferred by Clause (b) of Sub- Section (1) of section 19 of the Prevention of Corruption Act, 1988 and Section 197 of code of criminal procedure 1973 and the Government hereby accord sanction for the Prosecution of Sri chenna Sastry worked as Town Planning Assistant in District Town & Country Planning Office of West Godavari District, Eluru for the above said offences punishable under Section 7 and 13(1) (d) read with 13(2) of P.C Act, 1988 and Section 34 IPC respectively and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(R. KARIKAL VALAVEN)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Vijayawada.